

Application No. 10/804,328

15

Docket No.: 61032(70904)

REMARKS

Claims 1-30 were pending in the application. Claims 23 and 26 have been cancelled. Claims 1, 12, 24, 25, 27, 28, 29, and 30 have been amended and new claims 31 and 32 have been added. Accordingly, once the amendments presented herein have been entered, claims 1-22, 24-25, and 27-32 will remain pending. Support for the amendments to the claims can be found throughout the specification and claims as originally filed. No new matter has been added.

Status of Claims

The Examiner has indicated that claim 16 is not pending. However, this claim has not been cancelled previously. Accordingly, claim 16 is currently pending.

Rejection of Claims Under 35 USC 102(a) and (b)

The Examiner has maintained the rejection of claims 1-15 and 17-30 under 35 USC 102(b) as being anticipated by Nakamura and claims 1-7, 10-18, and of claims 21-30 as being anticipated by Cheong. Applicants respectfully traverse this rejection.

For a reference to anticipate the pending claims, the reference must teach each and every element that is set forth in the claims, either expressly or inherently (see, *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed Cir. 1987) and MPEP 2131). Neither Nakamura or Cheong teach or suggest each and every element of the claims as amended.

The cited references do not teach each and every element of the claims as currently pending.

Therefore, the cited references do not anticipate the claimed invention. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the foregoing rejection.

Application No. 10/804,328

16

Docket No.: 61032(70904)

CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Dated: November 15, 2007

Respectfully submitted,

By 

Jonathan M. Sparks, Ph.D.

Registration No.: 53,624

EDWARDS ANGELL PALMER & DODGE
LLP

P.O. Box 55874

Boston, Massachusetts 02205

(617) 439-4444

Attorneys/Agents For Applicant